

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>NO 5980/WO</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/EP 98/ 08568</b>	International filing date (day/month/year) <b>30/12/1998</b>	(Earliest) Priority Date (day/month/year) <b>18/02/1998</b>
Applicant <b>SOCIETE DES PRODUITS NESTLE S.A. et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.  
☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

## 4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

## 5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

## 6. The figure of the drawings to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/EP 98/08568

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 9  
because they relate to subject matter not required to be searched by this Authority, namely:  
Remark: Although claim(s) 9  
is(are) directed to a method of treatment of the human/animal  
body, the search has been carried out and based on the alleged  
effects of the compound/composition.
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such  
an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all  
searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment  
of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report  
covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is  
restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 98/08568

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 6 A23L1/29 A23L1/305 A23L1/30 A23L1/09 A23L1/304  
A23L1/302

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 A23L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5 340 603 A (NEYLAN MICHAEL J ET AL) 23 August 1994 (1994-08-23) tables 1-4, 10, 11 column 21, line 47-55	1-3
A	claims ---	4-9
Y	US 4 112 123 A (ROBERTS WILLARD LEWIS) 5 September 1978 (1978-09-05) column 5, line 9-16	1-3
A	column 6, line 39-50 column 8, line 23-35 claims ---	4-9
A	WO 97 16079 A (NESTLE SA) 9 May 1997 (1997-05-09) claims; table 11 ---	1-8
	--- -/-	



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## ° Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&amp;" document member of the same patent family

Date of the actual completion of the international search

9 July 1999

Date of mailing of the international search report

23. 07. 99

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Van Moer, A

## INTERNATIONAL SEARCH REPORT

International Application No

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 721 742 A (CLINTEC NUTRITION CO) 17 July 1996 (1996-07-17) page 6, line 1 - page 8, line 20; claims ---	1-8
A	US 5 221 668 A (HENNINGFIELD MARY F ET AL) 22 June 1993 (1993-06-22) claims ---	1-8
A	US 5 549 905 A (MARK DAVID A ET AL) 27 August 1996 (1996-08-27) column 6, line 5-45 -----	1-8

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 98/08568

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 5340603	A	23-08-1994	NONE		
US 4112123	A	05-09-1978	CA	1088801 A	04-11-1980
WO 9716079	A	09-05-1997	US	5635199 A	03-06-1997
			AU	7294796 A	22-05-1997
			CA	2231525 A	09-05-1997
			CN	1200654 A	02-12-1998
			US	5766621 A	16-06-1998
EP 0721742	A	17-07-1996	US	5589468 A	31-12-1996
			AU	4076595 A	25-07-1996
			CA	2166003 A	14-07-1996
			JP	8231411 A	10-09-1996
			US	5686429 A	11-11-1997
US 5221668	A	22-06-1993	AU	3614393 A	13-09-1993
			CA	2128078 A	02-09-1993
			DE	69325091 D	01-07-1999
			EP	0630181 A	28-12-1994
			JP	2644086 B	25-08-1997
			JP	7500348 T	12-01-1995
			MX	9300999 A	01-09-1993
			NZ	249392 A	26-01-1996
			WO	9316595 A	02-09-1993
US 5549905	A	27-08-1996	NONE		